

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, March 18, 1986, at 7:30 p.m.

Present: Joseph Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman

Absent: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Minutes of Regular Board Meeting held on March 4, 1986 are dispensed without objection and be approved.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

BILLS

Bills submitted on abstract dated March 18, 1986 as follows:

Councilman Boschetti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that subject to complete audit, the following bills be approved for payment.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The department heads of the various departments of town government are present this evening should anyone have any question of them. Reports Mrs. Pendzick."

REPORTS

Conservation Advisory Council-Minutes of March 5, 1986 meeting.

File

Wading River Fire District-Annual report for 1985.

File

Environmental Quality Review Board-Recommendation that application of John and Elaine Villano is a Type II Action.

File

Tax Receiver-Report of collections as of March 5, 1986, \$12,593,417.)

File

OPEN BID REPORT - PORTABLE RADIOS - POLICE DEPARTMENT

File

Bid Date: March 10, 1986 at 11:00 a.m.

No Bids Submitted

OPEN BID REPORT - TOW TRUCK - POLICE DEPARTMENT

File

Bid Date: March 10, 1986 at 11:05 a.m.

No Bids Submitted

OPEN BID REPORT - SNOW PLOW - HIGHWAY DEPARTMENT

File

Bid Date: March 12, 1986 at 11:00 a.m.

2 Bids Submitted

#1 NAME: SAM ALLEN'S MODERN MACHINERY, INC.

ADDRESS: Route 25, Box P, Coram, NY

TOTAL BID: \$4,439.00

#2 NAME: SUPERIOR MACHINERY

ADDRESS: 1650 Veterans Highway, Central Islip

TOTAL BID: \$5.109.00

Supervisor Janoski, "Applications."

APPLICATIONS

J&J Concrete (D. Almeida)-Site Plan for warehouse and office on Kroemer Avenue.

Filed

Nino Milatello-Site Plan for retail stores, Route 25A, Wading River.

Filed

APPLICATIONS Continued

Rita Shah-Site Plan for professional office, Route 25A,
Wading River. File

James Latham-Site Plan for lumber warehouse, Kroemer Avenue,
Riverhead. File

Ronald and Richard Fichter-Site Plan for warehouse, Line Rd.
Calverton. File

Supervisor Janoski, "Correspondence."

CORRESPONDENCE

Brookhaven Town-Notice of public hearings to be held on April
1, 1986. File

Stanley Zambriski-Submitting his resignation upon retirement
from Water District. (See Water District Minutes) File

Wm. Kelsch, 3/14/86-Protesting the issuance of parking summons
and questioning accuracy of parking meters. File

Supervisor Janoski, "The first public hearing time has not
yet arrived. Under Unfinished Business:

UNFINISHED BUSINESS

Kimbroke Associates-Special Permit for condominiums on Sound
Avenue.

Anthony Conforti-Site Plan for office building, Howell Lane &
East Main Street.

Atrium Group-Special Permit to use 2 residential homes in in-
dustrial zone.

Barry Wedel-Site Plan to alter sign manufacturing building on
West Main Street.

Rollin Hargis-Special Permit to add 23 units to existing park
on River Road.

Justin Purchasing-Special Permit for 20 couple residence, Sound
Avenue.

Miles Cane-Change of Zone on n/s of Route 58.

Motel on the Bay-Special Permit to change to 20 condominium
units.

Robert Hartmann-Change of Zone from agricultural "A" to resi-
dential "C" on Doctors Path.

8/15/88
UNFINISHED BUSINESS Continued

Victor Pafundi-Special Permit for 20 condominiums in South Jamesport.

Al Lane-Site Plan for retail store building, Route 58.

Riverhead Medical Specialists-Site Plan for alterations to building, Route 58.

M.H. of L.I., Inc. (K. Dunleavy)-Change of Zone from residence "B" and industrial "A" to all residence "B".

Frank Guarino-Special Permit for addition to building in Wading River.

Guido Cricchio-Site Plan to add to building, Route 25A, Wading River.

Robert Entemann-Change of Zone for housing on 111.6 acres, Sound Avenue.

John & Elaine Villano-Special Permit for warehouse and sales, Pulaski Street, Riverhead."

Supervisor Janoski, "There are some eight minutes left before the first scheduled public hearing. I will recognize anyone who wishes to be heard on anything. Yes sir."

Charles Thrall, Hubbard Avenue, "Thank you for the opportunity to appear early. I have another meeting, so this fits in very nicely."

Supervisor Janoski, "Would you tell us who you are?"

Charles Thrall, "Yes I will. I'm Charlie Thrall. I live here in the Town of Riverhead and I have in my hand a nice little green ticket. Most of you probably have seen these before at one time or another."

Supervisor Janoski, "I saw one on my windshield the other day."

Charles Thrall, "Well, I'd like to tell you what happened. Last Tuesday, according to this at 11:56 a.m. I pulled up on West Main Street across from Minutemen Press. I have business there. I stepped out of my truck. And as I did, Bill Sanick pulled up behind me. I stepped back and I said hello to him and that was about the extent of it. Probably I talked to him fifteen seconds. I have money in my hand. And when he pulled away, I went over and foolishly put a nickel in his meter, closest meter. I still have the money in my hand and realizing I put the money in the wrong meter, I walked over to put money in the correct meter. And the young lady was writing a ticket and there was not a total of forty five seconds had elapsed from the time I got out of my truck and there was a ticket going on there. I'm going to pay the ticket. That's not the point. But I really don't think that this Town Board believes that that's the way tickets are to be handed out. I think she was a little diligent. I believe that it's a good way to chase

PERSONAL APPEARANCES Continued

Charles Thrall, Continued

perspective customers off the street. I believe that people are doing that sort of thing are scheduled for a little training. That is my peace."

Supervisor Janoski, "Thank you Charlie."

Charles Thrall, "Thank you."

Supervisor Janoski, "Is there anyone else who wishes to address the Town Board on any subject? Steve."

Steve Haizlip, Calverton, "First time that I knew that Stanley Zambriski was retiring becuae I've known him like forty years and he's in the family and I want to speak our for him that I'm glad to hear that he's retiring and I hope he has a long retirement and a happy retirement because he's had a lot of passed troubles in the past. So again, I'm sure his boss is going to do everything for him and send him off with all the extras and goodies that he can."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Town Board? Then let us take up the resolutions."

RESOLUTIONS

#154 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS-LIQUID ASPHALT FOR HIGHWAY DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on Liquid Asphalt requirements for use of the Town of Riverhead Highway Department for one year from date of award,

AND BE IT RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:00 a.m. on April 1, 1986, and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on April 1, 1986 at 11:00 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "BID ON LIQUID ASPHALT".

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#155 AWARDS BID-ROOT MODEL TPR-11 SNOW PLOW WITH 34" QUICK HITCH.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLUTIONS Continued

WHEREAS, the Town Clerk was authorized to advertise for bids for two Root Model TPR-11 Snow Plow, for the use of the Highway Department, and

WHEREAS, on the 12th day of March 1986, all bids received were opened and read aloud, and

WHEREAS, two bids were received, and

WHEREAS, the Highway Superintendent has recommended the purchase of the Root Model TPR-11 Snow Plow, and

WHEREAS, the Root Model TPR-11 Snow Plow is the lowest bid received meeting the specifications,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Root Model TPR-11 Snow Plow with 34" Quick Hitch, be and is hereby awarded to Sam Allen's Modern Machinery Inc. in the amount of \$4,439.00 each for a total of \$8,878.00.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#156 RATIFIES DEED DATED 9/15/80 COVERING PROPERTY KNOWN AS TAX MAP NO. 600-81-3-8.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, by deed dated June 28, 1980, County of Suffolk conveyed to the Town of Riverhead real property known as Tax Map No. 600-81-3-8 for Community Development purposes, and

WHEREAS, by deed dated September 15, 1981, recorded with the County Clerk of Suffolk at Liber 9079, Page 57, the Town of Riverhead deeded said parcel of property back to the County of Suffolk since such property was not needed for Community Development purposes, and

WHEREAS, no resolution was formally adopted by the Town Board of the Town of Riverhead directing said parcel of property to the County of Suffolk.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby ratifies the deed dated September 15, 1981 to the Town of Riverhead from the County of Suffolk covering real property known as Tax Map No. 600-81-3-8, and

FURTHER, BE IT RESOLVED, this resolution is subject to permissive referendum as provided by the Town Law, and

FURTHER, BE IT RESOLVED, the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in the March 20, 1986 issue of The News Review.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#157 AUTHORIZES TOWN BOARD OF THE TOWN OF RIVERHEAD TO REFER TO THE PLANNING BOARD A PROPOSAL TO REZONE PROPERTY ON WEST LANE, AQUEBOGUE.

RESOLUTIONS Continued

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Town Board of the Town of Riverhead desires to refer to the Planning Board of the Town of Riverhead a proposal of the Town Board respecting property currently zoned Industrial A along West Lane in Aquebogue as designated on the attached map (see file) to be rezoned Residence A.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward to the Clerk of the Planning Board this request and that the Planning Board make its recommendation to the Town Board concerning this rezoning from Industrial A to Residence A, and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to send a certified copy of this resolution to the Clerk of the Riverhead Town Planning Board.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#158 AUTHORIZES TOWN CLERK TO RE-BID PORTABLE RADIOS FOR USE OF THE POLICE DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, on March 10, 1986 at 11:00 a.m., the Town Clerk was authorized to receive bids for portable radios for use of the Police Department, and

WHEREAS, no bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the Public Notice with regard to the re-bidding of said portable radios in the March 20, 1986 issue of The News Review.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#159 AUTHORIZES THE SOLICITATION FOR BIDS FOR ONE (1) 1986 ONE-TON TOW TRUCK.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of One (1) 1986 One-Ton Tow Truck for use by Riverhead Police Department, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly and read aloud said bids at 11:00 a.m. on Monday March 31, 1986, at Town Hall, 200 Howell Avenue, Riverhead, New York, and to make a report of said bids to the Town Board at the next public meeting following the opening of the bids.

RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 7:45 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, March 18, 1986 at 7:45 p.m. to hear all interested persons regarding: The Proposed Amendment to Chapter 101, Section 4 of the Town Code Re: One-Way Streets.

Supervisor Janoski, "Thank you. The main entry way to what is the A&P shopping center on Route 58 is designated in the code of the Town of Riverhead as a one-way street which is not the case. And the purpose of this hearing is to change that designation to what it really is; a two-way entry and an egress. Is there anyone present who wishes to address the Board on this matter?" That being the case and without objection, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 7:46

Supervisor Janoski, "We will continue with the resolutions."

Eric Berger, "Mr. Supervisor could you clarify which one-way street we are referring to in this."

Supervisor Janoski, "The main entry way. A&P."

Eric Berger, "The reason I ask is because the Town Attorney explained to me that it was a different location."

Supervisor Janoski, "Well Mr. Berger, why don't you take that up with the Town Attorney?"

Eric Berger, "I did once."

Councilman Lombardi, "Wait a minute. It's Roanoke Avenue isn't it?"

Supervisor Janoski, "On Roanoke. It is a one-way. I was told it was the main entry way."

Eric Berger, "Can I relate what it was that the Town Attorney told me?"

Supervisor Janoski, "Fine."

PUBLIC HEARING Continued

Eric Berger, "He stated that it was the shopping plaza on the southwest corner of the circle where the auto parts store, the Dunkin Donuts, Guys and Dolls haircutters, Carvel. And that the entrance referred to and the code change is the north entrance from the parking lot which was formally designated in the code as one-way but which in practice has been two-way from 58 and two-way on Roanoke Avenue."

Councilman Prusinowski, "I'm scratching that out."

Supervisor Janoski, "I'm glad that you are because that's not right. We are talking about the entry way onto Route 58. I believe what I have related happens to be true but..."

Eric Berger, "I don't bring this up to embarrass anyone."

Supervisor Janoski, "Well you've done a pretty good job so far. There was some misunderstanding earlier in the week as far as what was told to me what this was about. But it happens to be as far as I'm aware, the entry way onto Route 58. Now if anyone has a copy of that."

Councilman Prusinowski, "The Roanoke shopping plaza as you go past 7-11. Currently we have it designated as one-way going out and this would change to code to allow it as a two-way entry as access from Roanoke Avenue. And this was emminated from certain members of the board of the Central Suffolk Hospital. They thought it would relieve traffic congestion."

Supervisor Janoski, "I am going to relate what as being stricken from the town code. Drive way at Roanoke shopping plaza which is the A&P shopping center, leading to and from Route 58."

Councilman Prusinowski, "Oh well that's incorrect then."

Councilman Lombardi, "That's incorrect."

Supervisor Janoski, "I know it's... This is correct. So it is the main entry way leading to Route 58. Ok. What's confusing everyone I think is the Roanoke shopping plaza. That's the name of the shopping center. Ok. But it's the street leading to and from Route 58 which is the main entry way."

Eric Berger, "That's presently one-way?"

Supervisor Janoski, "Well it's listed in the town code and it says direction north only. So that what I said earlier happens to be true and correct. Thank you Mr. Berger."

Eric Berger, "Sorry for that."

Supervisor Janoski, "Moving right along with the resolutions."

RESOLUTIONS

#160 AUTHORIZES THE SOLICITATION FOR BIDS FOR FLOODLIGHT SYSTEMS FOR SOFTBALL FIELDS.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of Floodlight Systems for softball fields for use by Riverhead Recreation Department, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids at 11:15 a.m. on Monday, March 31, 1986, at Town Hall, 200 Howell Avenue, Riverhead, New York; and to make a report of said bids to the Town Board at the next public meeting following the opening of the bids.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#161 EXEMPTS RIVERHEAD FIRE DEPARTMENT AND SUFFOLK COUNTY FIREMEN'S ASSOCIATION FROM CHAPTER 46 OF THE RIVERHEAD TOWN CODE FOR JULY 12 AND 13, 1986.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, on July 12 and 13, 1986, the Riverhead Fire Department shall host the Suffolk County Firemen's Association Tournament, and

WHEREAS, the Riverhead Fire Department has requested to be exempt from Chapter 46 of the Riverhead Town Code for the days of July 12 and 13, 1986.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby exempt the Riverhead Fire Department and the Suffolk County Firemen's Association from Chapter 46 of the Riverhead Town Code for the days of July 12 and 13, 1986, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Riverhead Fire Department and Riverhead Police Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#162 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF FRANK GUARINO.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the special permit application of Frank P. Guarino for expansion of a non-conforming use at premises located at the intersection of North Country Road and North Wading River Road, Wading River, New York.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of April, 1986 at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of Frank P. Guarino for expansion of a non-conforming use at premises located at the intersection of North Country Road and North Wading River Road, Wading River, New York.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#163 AUTHORIZES TOWN CLERK TO PUBLISH AND POST REQUEST FOR PROPOSALS/WEST MAIN STREET BUILDINGS.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

Councilman Pike, "Before I read this, basically the town is taking a look at two buildings and building lots on West Main Street in the downtown Riverhead area. They are the northeast corner of West Main Street and Griffing and the building across the street between Main Street where the bus stop and Grangebél Park. There have been a number of ideas that have been talked about and we're looking for formal proposals I would suppose from interested private parties for the development of either of those parcels. I might add that there has been some discussion as to another option for the properties which would involve taking the development rights, the square footage that currently exists on the southern side of the road and allowing the person, a private developer to try transfer them across the street to the parcel on the northern side of the road. Enabling the same amount of square footage in the downtown area but opening up Main Street to Grangebél Park and reducing the amount of construction involved. So that's an option. We're not fixed on any one of the number of options but it's something that we've talked about and we'd like to also see proposals on. The resolution itself":

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice of Request for Proposals Re: West Main Street Buildings in the March 20, 1986 issue of The News Review.

RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

REQUESTS FOR PROPOSALS / WEST MAIN STREET BUILDINGS

FOR SALE

The town is accepting written proposals for the acquisition and renovation of buildings located on West Main Street in Riverhead.

RESOLUTIONS Continued

Proposals for Building A and Building B should be submitted separately if you are considering both locations.

Building A: Located on the Northeast corner of West Main Street; Suffolk County tax map #128-6-16 appraised value-\$125,000.

Building B: Located on the South side of West Main Street; south of the intersection on Griffing Avenue; Suffolk County tax map #128-3-63 appraised value - \$180,000.

Request for proposed packages detailing the scope of the project are available at the Riverhead Town Hall, office of the Town Clerk, 200 Howell Avenue, Riverhead, NY 11901.

All proposals must be submitted in a sealed envelope clearly marked "Main Street RFP" to the Riverhead Town Clerk's office not later than 11:00 a.m. on Monday, April 14, 1986.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#164 GRANTS PERMISSION TO JAMESPORT FIRE DEPARTMENT TO HOLD ANNUAL BAZAAR AT JAMESPORT COMMUNITY CENTER.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Town of Riverhead is the owner of a certain parcel commonly known as the Jamesport Community Center, Jamesport, New York, and

WHEREAS, this Town Board is in receipt of a request from the Jamesport Fire Department to hold their Annual Bazaar and Fund Raiser at the Jamesport Community Center for the period of July 22, 1986 through July 27, 1986.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby grant permission to the Jamesport Fire Department to conduct their Annual Bazaar and Fund Raiser at the Jamesport Community Center for the period of July 22, 1986 through July 27, 1986, and

BE IT FURTHER RESOLVED, that the Jamesport Fire Department shall hold harmless the Town of Riverhead by obtaining an insurance policy naming the Town of Riverhead as an additional insured in the amount of \$1,000,000 for general liability and property damage, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Police Department and the Jamesport Fire Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#165 AUTHORIZES TOWN CLERK TO FILE FORM TE9A WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION RE: SPEED LIMIT CHANGES.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Highway Superintendent Charles Bloss in conjunction with the Riverhead Police Department has submitted a request for speed limit changes on roadways throughout the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to file with the New York State Department Transportation Form TE9A requesting consideration for said speed limit changes as more particularly described in the attached correspondence.*

*See file for correspondence

William Kasperovich, "Mr. Lombardi?"

Councilman Lombardi, "Yes sir."

William Kasperovich, "This has not been publicized....."

WILLIAM KASPEROVICH SPOKE FROM AUDIENCE WITHOUT BEING RECOGNIZED AND HIS REMARKS WERE INAUDIBLE.

Supervisor Janoski, "Wait a minute. Hold on. There's only a group of five people who can make a point of order here and that happens to be up here. If you would like me to stop this process to recognize you to come up to the microphone, I would be happy to. Are you requesting to address the Board on this resolution?"

William Kasperovich, "Yes. If that's the only way I can get up there to talk about it."

Supervisor Janoski, "Well it's the only way I know of Bill and we've been doing this for the past six years."

William Kasperovich, "You have shortened the reading of the resolutions unless somebody in the audience wanted it read. You made that allowance now since the first meeting in January."

Supervisor Janoski, "I'm not familiar with it."

William Kasperovich, SPOKE FROM AUDIENCE AND IS INAUDIBLE.

Irene Pendzick, "Mr. Supervisor, whatever Mr. Kasperovich is saying is not being recorded."

Supervisor Janoski, "I know that. Bill do you want to be recognized to address the Board and we do have an eight o'clock hearing? So we will start the public hearing. And then after that is over, if you wish to address the Board on this resolution, fine. Let the record show that the hour of 8:00 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:00 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, March 18, 1986 at 8:00 p.m. to hear all interested persons regarding: The Proposed Amendment to chapter 101, Section 9 of the Town Code Re: Traffic Control Signals, Installation and Maintenance.

Supervisor Janoski, "Ok. Well, at the risk of being corrected by the member from WRHD of the Board; this deals with the installation of a traffic at the entry way to the A&P and Waldbaums shopping center which must be now included in the town code as it must be enforced. The traffic control device is installed and operating and it is proper that it become one of the traffic control devices listed in the town code of the Town of Riverhead. Is there anyone present who wishes to address the members of the Board on this proposal? Mary Beth."

Mary Beth Andresen, Aquebogue, "I have just a few questions and I know public hearings you're not supposed to ask questions but I'm going to ask questions anyway. Is this traffic light put in, I know Greg Blass spoke at the last meeting and I couldn't be here about this. Is this traffic in on the county level and we are adopting it into our code? Or are we also in on this as far as putting it in and maintaining it? Or is it just totally strictly a county reasoning for putting it in?"

Supervisor Janoski, "Well, there's a number of things that you said are right. One; the county is the motivator of its installation. They required it. The maintenance of it will now be taken over by the Town of Riverhead. And since it is our Police Department who has jurisdiction over roads in the Town of Riverhead, it becomes part....."

TAPE ENDED

Mary Beth Andresen, "Shame on us all in Riverhead. Shame on you as a Town Board. Shame on our Planning Board and shame on us as citizens in this town. We have allowed this growth and Waldbaums is a prime example. This traffic light is going to be our nemesis. Is one of our great nemesises in this town. We have a vehicular problem. We have a great vehicular problem. Route 58 was the bypass road. The entrance for the Northfork. With the installation of this traffic light to allow a private enterprise to conduct business, we can stop and irritate people from Riverhead probably to Jamesport. Eliminating our traffic circle and I know this is something that has been brought up, is not necessarily going to be the answer to our problems. We have a road that has been allowed to be over grown. What we have in this town is the most trailer parks in Suffolk County. The proposed largest growth to an already one hundred square mile school district. One of the largest in the State of New York encompassing one town. We have more flooding problems than we already have due to the displaced natural ground water of increase growth. A lack of access to our natural shorelines by major developments and condominiums already disturbing our fragile eco system. And

Mary Beth Andresen, Continued

changes of zone for the whim of the developer who might promise this town a return. Yes Riverhead. Shame on us all. We have to live here and travel down Route 58. Middle Road is already seeing the burdens, Sound Avenue. And the other day I travelled home on the Main Road which was actually faster. Thank you."

Supervisor Janoski, "Mary Beth, how do you feel about the proposal of including this in the code which is what we were hoping that you would address."

Mary Beth Andresen, "I do not feel that this traffic light should be included in our code. I mean it's for the purpose..."

Supervisor Janoski, "Could you put this on the record please."

Mary Beth Andresen, "The traffic lights along 58 are there primarily by shopping centers to help private enterprises. They are not there (and I don't care if I ever go to Waldbaums to be real honest with you) they're just for the man who has built a shopping center with a very questionable lack of parking spaces to begin with already. And it's not even fully opened. As I drove past it today, and it may conform with everything, and if it does; it's really sad to see that this is the way it's going. I don't agree that this light or any light for that matter should be in for the purpose of private enterprise. Out of one-way major streets, out of major intersections, that's another situation. But when you're talking about private enterprises, it's private enterprises."

Councilman Prusinowski, "You know he paid for that light."

Mary Beth Andresen, "That's neither here nor there. Vic he paid for the light so people could get in his store."

Councilman Prusinowski, "Mary Beth, fine. Ok."

Supervisor Janoski, "I would leave it alone too."

Councilman Prusinowski, "I am going to leave it alone."

Supervisor Janoski, "The subject of Route 58 will come up at a hearing which will be held at 7 'clock next Tuesday here at Town Hall. Legislature Greg Blass, the presiding officer, has requested such a hearing take place here in Riverhead Town Hall and it will be actually a county government hearing. So that anyone interested in Route 58, the future of that roadway should take the time to be present at that hearing and information meeting next Tuesday which I believe is the 25th. Is there anyone else who wishes to be heard? Yes Mr. Kasperovich."

William Kasperovich, Wading River, "I was rudely awakened by this light when for the first time in many years I drove right through a red light. I became fully conscious of it. By itself I don't think it solves any problem. I think it worsens some other problems. Now since this is sort of coming in about the

PUBLIC HEARING Continued

William Kasperovich, Continued

barn door after the horse is stolen. We should have had this before the light was put up not after. However, since the county is looking for us to concur with their installation. I think we should take advantage of this and not concur. And I say do not concur unless they investigate or comply date and install a light on Roanoke Avenue such that this light, the Roanoke Avenue light, the Ostrander Avenue light and the light to the Caldor shopping center will be coordinated in such a fashion that it is flexible for different times of the day and different seasons. That I believe would improve things. And if the county wants to jam this light up our nose, let us stand off up and let them take a swing at us and say; no way man. You got money for this, dig up the money for the rest of the job. don't put it there and let us hang by it. I think we should this as a vehicle to force the county to complete their job and there's nothing so complicated about coordinating traffic lights. It's done in every city in the country. Thank you."

Supervisor Janoski, "Thank you Bill. When he's right he's right. Is there anyone else who wishes to address the Board concerning the inclusion of this traffic light in the code? Steve."

Steve Haizlip, "I just want to go back to last week when resolution 153 came off the floor or was added to the agenda and just say that this light is creating a problem at those business establishments there which they are locked in."

Supervisor Janoski, "Thank you Steve and you were just right because let the record show... Oh wait. I have to. Is there anyone else who wishes to? I can't recognize you just yet. I'm going to recess this hearing."

8:00 PUBLIC HEARING RECESSED AT 8:10

Supervisor Janoski, "Let the record show that the hour of 8:10 p.m. has arrived and the Town Clerk will please read the notice of public hearing."

PUBLIC HEARING 8:10 P.M.

I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, March 18, 1986 at 8:10 p.m. to hear all interested persons regarding: The Construction of a 6-inch Lateral Water Main at Josica Drive, Aquebogue, at a Total Estimated Cost of \$36,000 - All of which costs shall be paid by the petitioner.

(See Water District Minutes)

8:10 PUBLIC HEARING CLOSED AT 8:12

Supervisor Janoski, "I will re-open the previous hearing on the traffic control light on the entry way to Waldbaums and A&P shopping centers. Nora."

8:00 PUBLIC HEARING RE-OPENED AT 9:12

Nora Brewer, Ramblewood Park, "I take issue with the former speaker in reference to the mobile home parks in the Town of Riverhead. I don't think that they deter anything from the Town of Riverhead. As a matter of fact, I think they are an asset to the Town and the people living in them. And also they one-way, since you have made the entrance into the A&P from 58 a two-way, how about doing the same for the one on Roanoke Avenue? There's an entrance from Roanoke Avenue also but it's an exit. It's an exit. It's not an entrance."

Supervisor Janoski, "It's a narrow roadway. But Nora what I'd like to know is what do you think about that traffic light being included in the town code of the Town of Riverhead."

Nora Brewer, "I think it's terrific. Why not? I mean this town has to grow. They can't stay a one horse town for the rest of their lives."

Supervisor Janoski, "Thank you Nora."

Nora Brewer, "But anyway what I wanted to ask you guys and this is off the record really."

Supervisor Janoski, "Well it's not Nora."

Nora Brewer, "No but really. You know the entrance from Roanoke it's not a.... There's a way to go in from Roanoke Avenue. Well it's the one-way going out from but not in but I always go in that way. So maybe you could make it a two-way. Ok. Thank you."

Councilman Lombardi, "It's a bad spot Nora."

Supervisor Janoski, "Thank you Nora."

Councilman Lombardi, "We'll talk about it later."

Supervisor Janoski, "Is there anyone else who wishes to address the Board on the matter of the placing of the traffic light into the code. Yes."

Henry Pfeiffer, Wading River, "As an occasional visitor during the normal business hours, I have shopped the A&P center. And leaving the A&P center to make a turn toward the east, the only way I could get across the road and into the east bound traffic was to go like this and guess and hope by god that I got through there."

Supervisor Janoski, "Let the record show that Henry covered up his eyes with his jacket. The girl who types up the minutes didn't see you do that."

PUBLIC HEARING Continued

Henry Pfeiffer, "I see. So what I'm saying is this; that the only efficient way (and I've used the light in the last day or two coming through there) that by patiently waiting until the thing turns green I was able to make a left turn there in entire safety and I favor the light. Thank you."

Supervisor Janoski, "This is not a hearing as to whether you're in favor of shopping centers, traffic lights or traffic. It deals solely with the inclusion of that red light for enforcement purposes into the code of the Town of Riverhead. Is there anyone else present who wishes to address the Board on that matter? That being the case and without objection, I declare the hearing closed. I also declare a recess until 8:30 p.m."

8:00 PUBLIC HEARING CLOSED AT 8:15
TOWN BOARD MEETING RECESSED AT 8:15
TOWN BOARD MEETING RECONVENED AT 8:39

Supervisor Janoski, "We will just take up with the resolutions. But before we continue, Mr. Kasperovich you requested some time to address the Town Board on the matter before it."

William Kasperovich, "Mr. Supervisor is this going to cut into my allowed five minutes this evening."

Supervisor Janoski, "Well you have five minutes to talk about the subject at hand."

William Kasperovich, "How about other subjects?"

Supervisor Janoski, "Bill. You wanted to address the Board on the subject of the resolution. You have five minutes to do so."

William Kasperovich, "I was informed by Police Chief Palmer a minute ago that the map that I prepared many years ago indicating the state regulations at that time has been updated last week. This I did not know until a few seconds ago. Now I do feel that just by good governmental procedure in consideration of your constituents that this up to date map should be posted out in the public and left there for a couple of weeks. That if people are interested in what has been changed they can come and see. This way the only way we'll know that something is changed is when we go to fast and get a ticket. These signs are not... You travel a lot by habit. And we throw these signs out and they don't necessarily do the good that they're supposed to. So I think a display to the public to orient the people of what we have done of recent times should become prior to passing the resolution."

Supervisor Janoski, "Bill if you would let me explain the resolution, perhaps I could remove your objections. This is not a resolution affecting changes of speed limits. It is a resolution sending to the State Department of Transportation a certain form which was TE9A requesting consideration of said speed limit changes. Because it is only the State of New York who has the authority to set speed limits on the roadways within the Town of Riverhead."

PUBLIC HEARING Continued

William Kasperovich, "Yes I well understand that. Alright. Even though if this was read off in detail tonight, it still just covers a small handfull of people. I think an attempt should be made to reach all of the township before we act on it. That is my general principal. I think it leads toward good government."

Supervisor Janoski, "Thank you Bill. Resolution 165 we are on."

RESOLUTIONS

*The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

*Vote on resolution #165/See page 201 for resolution

#166 ORDER AND DETERMINATION RE: MIDWAY DRIVE, RIVERHEAD, PURSUANT TO CHAPTER 54 OF THE RIVERHEAD TOWN CODE.

Councilman Boschetti, "Number 166 is a three page resolution. Unless somebody wants to hear it in its entirety I'll just summarize it. Basically what it does is an order and determination by the Town Board after a hearing to have removed a home owned by Elizabeth Pitman which is located on Midway Drive in Riverhead. Basically it violates our code, chapter 54. It's been found to be rodent infested, unsanitary, abandoned for approximately five years. And this resolution will be published in The News Review for a period for two weeks. After which the owner has seven days to which to remove the building. If it is not removed within those seven days, the town may then go ahead and remove it at the owners course. So moved."

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, by Notice of Violation dated January 3rd, 1986, posted upon the subject real property located at Midway Drive, Riverhead, New York, a hearing was caused to be held before this Town Board to determine whether or not the improvements located at Midway Drive, Riverhead, New York, are in a dilapidated and unsafe condition, and, therefore, are in violation of Chapter 54 of the Riverhead Town Code and that their demolition and removal is required;

NOW, THEREFORE, IT IS HEREBY ORDERED AND DETERMINED,

THAT, after a hearing held on January 16th, 1986, this Board finds:

THAT the record owner of the property is Elizabeth Pitman of Tuthills Lane, P.O. Box 291, Jamesport, New York, et al.;

THAT testimony was offered by James V. DeLucca, Building and Zoning Administrator, that the building is dilapidated, obsolete and abandoned;

THAT Mr. DeLucca also testified that the structure is dangerous, unsafe, an attractive nuisance and without any legal access for either ingress or egress;

RESOLUTIONS Continued

THAT Mr. DeLucca also testified that no construction or repair has been commenced since his inspection of January 3rd, 1986, to date nor has the Building Department received any building permit application relative to the subject premises nor has any owner contacted the Building Department regarding the property;

THAT Mr. DeLucca testified that based upon his inspection and observations, the subject structure violates the Code of the Town of Riverhead, Chapter 54;

THAT based on Mr. DeLucca's testimony that he has been employed by the Town of Riverhead as a Building Inspector for ten (10) years and was employed prior to that by Levitt & Sons Builders as a project manager and was involved there in all stages of condominium and housing development and that he has degrees in Architecture, Civil Engineering and Planning, the Board is satisfied that Mr. DeLucca is qualified to testify as an expert regarding dilapidation and building construction;

THAT testimony was also offered by Cardinal Hobson, who resides at 361 Midway Drive, Riverhead, New York, that the building is rodent infested;

THAT Mr. Hobson also testified that the structure is unsanitary and has been abandoned for approximately five (5) years.

NOW, THEREFORE, BASED UPON THE RECORD HAD HEREIN AND THE HEARING HELD, THIS BOARD FINDS AND DETERMINES:

THAT the improvements located at Midway Drive, Riverhead, new York, are in violation of Chapter 54 of the Code of the Town of Riverhead and the improvements should, therefore, be demolished and removed to the Town landfill, the foundation filled, and the land graded;

THAT notice of this Order and Determination shall be published in the News Review, the official Town newspaper, for a period of two weeks and a copy of the Order and Determination forwarded by registered return receipt requested mail to the owners of the property;

THAT demolition must begin within seven (7) days after the last day of publishing of the Notice of Order and Determination as referenced above and such demolition shall be completed within thirty (30) days of that date;

THAT should such demolition not commence within the seven (7) day period referenced above, this Town Board authorized the necessary Town agencies and departments to contract and make the necessary arrangements for the demolition of the structure;

THAT the costs for demoliton, removal of debris, as well as grading and filling the site shall be assessed against the owners of record, and act as a lien on the subject property.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#167 AUTHORIZES TOWN ATTORNEY TO ATTEND SEMINAR.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

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RESOLUTIONS Continued

WHEREAS, the American Law Institute is sponsoring a seminar entitled "Instituting Resource Recovery: Legal, Commercial, and Environmental Elements" in Washington, D.C. on March 18 and 19, 1986, and

WHEREAS, Town Attorney Richard Ehlers has expressed a desire to attend said seminar.

NOW, THEREFORE, BE IT

RESOLVED, that Richard Ehlers be and is hereby permitted to attend the American Law Institute Seminar in Washington, D.C. on March 18 and 19, 1986, and

BE IT FURTHER RESOLVED, that expenses for registration, travel, meals and lodging shall not exceed \$800, and

BE IT FURTHER RESOLVED, that all expenses are to be fully receipted upon return.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#168 EXTENDS ROUTE 25A, WADING RIVER MORATORIUM FOR A PERIOD OF 30 DAYS.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, on September 26, 1985, this Town Board did establish a six-month moratorium on the area along Route 25A, Wading River, the boundaries of which are approximately a distance of 1-3/4 miles in an easterly direction from the Town line to a depth of 500 feet from the roadway as designated on the attached map, and *see file for map.

WHEREAS, said moratorium shall expire March 26, 1986.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead hereby extends this moratorium upon all applications for building permits in the area described except those as may be permitted under the Business CR zoning use for a period of 30 days from the date of this resolution, and

FURTHER, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in the March 27th issue of The News Review.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#169 APPROVES SITE PLAN OF J&J CONCRETE (DOROTHY ALMEIDA).

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, a site plan and elevations were submitted by J&J Concrete for construction of a warehouse and office to be located at Kroemer Avenue, Riverhead, New York, and

WHEREAS, this Town Board has reviewed the site plan dated January 2, 1986 as prepared by Young & Young, Land Surveyors, and elevations dated July 22, 1985 as prepared by Gordon K. Ahlers, P.E.,

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RESOLUTIONS Continued

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by J&J Concrete for construction of a warehouse and office to be located at Kroemer Avenue, Riverhead, New York, site plan dated January 2, 1986 as prepared by Young & Young, Land Surveyors, and elevations dated July 22, 1985 as prepared by Gordon K. Ahlers, P.E. be and are hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.
3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.
4. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.
5. Trash receptacles of a decorative design shall be maintained at the premises.
6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document J&J Concrete hereby authorizes the Town of Riverhead to enter premises at Kroemer Avenue, Riverhead to enforce said handicapped parking regulations.
7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.
8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways.
9. Drainage and parking be provided pursuant to the Riverhead Town Code.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to J&J Concrete and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the _____ day of _____, 1986, by J&J Concrete residing at _____, Declarant.

RESOLUTIONS Continued

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in Schedule A annexed hereto as provided by the Declarant, and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel,

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed do hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors, and assigns, to wit:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. all signage so proposed shall be coordinated in appearance and design.

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

4. Trash receptacles of a decorative design shall be maintained at the premises.

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stantion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

7. No lighting shall be installed or adjusted in such way as to cause direct glare on neighboring properties or adjoining highways.

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

Declarant has hereunto set his hand and seal the day and year above written.

DOROTHY ALMEIDA

RESOLUTIONS Continued

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of _____ 1986, before me personally came DOROTHY ALMEIDA owner of certain real property located at Kroemer Avenue, Riverhead, New York the subject property of the declaration and covenant herein; that she did read the above declaration and covenant and understands its contents; that she did swear to me that she executed the same.

Notary Public

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#170 APPROVES SPECIAL PERMIT OF VICTOR J. PAFUNDI, JR.

Councilman Boschetti offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, by application dated July 19, 1985, Victor J. Pafundi, Jr. did apply to this Town Board for a special permit to construct 20 condominium units on property located on Front Street in South Jamesport, and

WHEREAS, on the 1st day of October, 1985 and the 21st day of January, 1986, this Town Board held public hearings wherein all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT

RESOLVED, that the special permit application of Victor J. Pafundi, Jr. be and is hereby approved subject to the following:

1. That the applicant shall be restricted to the construction of no more than 12 units. Each unit to be used only as a single-family dwelling.

2. No other use of the premises covered by this special permit shall be made by the owner of such premises which is not specifically permitted by this special permit.

3. All conditions of this special permit must be met before a building permit shall be issued for any of the condominium units permitted herein.

4. The applicant shall execute a covenant binding itself and its heirs and assigns to the conditions set forth in this special permit.

5. Approval by the Riverhead Town Zoning Board of Appeals, the Suffolk County Department of Health and the New York State Department of Environmental Conservation.

6. The applicant has three (3) years to begin use and complete construction of use requirements.

The Town Board determines that:

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RESOLUTIONS Continued

The use will not prevent or substantially impair either the reasonable and orderly development of other properties in the neighborhood.

The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the town.

The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use.

The use as condominiums will be in harmony with and promote the general purposes and intent of the zoning regulations of the Town.

The site is particularly suitable for the location of condominiums in the community.

The plot area is sufficient, appropriate and adequate for the use and reasonably anticipated operation.

The characteristics of condominiums are not such that their proposed location would be unsuitable near to a church, school, theater or other place of public assembly.

Access facilities are adequate for the estimated traffic from public streets.

Adequate buffer yards will be provided.

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., attorney for the applicant, and the Riverhead Building Department.

Councilman Boschetti, "Before voting just a short comment and that is; the last couple of days (particularly today) I had occasion to talk with a couple of folks who had concern about this particular approval. And one or two questions came up regarding the contracts of sale from the present owner to the developer in this case. I have gone over that particular contract this evening with the applicant's attorney and I have found and I am satisfied of what I was led to believe is in fact the truth. I vote yes."

Councilman Pike, "I would also like to make several comments. Basically in the form of two apologies. The first is; that I may not be able to speak to clearly tonight because I do have a cold. The second is; I feel I was elected to help this Town Board do better than I feel that they're doing tonight and the subject of my opposition and the substance of my opposition is something we have debated continuously and hotly. I am and I would like the record to reflect that I am greatly concerned about the application's failure to deal successfully with master planning in the area, particularly the plan for the coastal areas which would recommend densities far lower than this. I am greatly disturbed by the fact that the application as it is now appeared to be approved, does not reflect the existing density of the neighborhood. While the existing density of the neighborhood is greater than that would be allowed if planning as it is currently proposed were to go ahead. The current density in the neighborhood is roughly 3.4 units per acre. I thought that would be a reasonable position to take for a compromise on the density of this proposal. Simply because the people who live there now are at a density of 3.4 units and it would be fair to additional density, additional units at that density. The application as it is going to be apparently approved tonight, is at roughly five units per acre. I don't think that's a fair

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RESOLUTIONS Continued

reflection of what the neighborhood would like to see. And it's certainly not what I would like to see. Finally, it is been noted that there are a number of alternative uses to this particular project that would be allowed by the zoning law. I have not in my analysis treated those as appropriate or realistic threats. Simply because the zoning law is something that this Town Board (not the applicant) controls and I don't feel we should ever be threatened by our own zoning code. Finally, my final apology. And that is that I only have one vote with which to vote no."

The vote, Boschetti, yes, Pike, no, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Boschetti, "Mr. Supervisor, I'd like to make a motion to take resolution 107 off the table. It's the resolution authorizing the Town Board to appoint a chairman for the citizen advisory counsel regarding the L.I.L.C.O. property in Jamesport."

Councilman Boschetti offered resolution #107 to be removed from the table for Town Board action which was seconded by Councilman Pike.

RESOLVED, that Resolution #107 Authorizing the Town Board to Appoint a Chairman for Citizen Advisory Counsel regarding the L.I.L.C.O. Property in Jamesport be removed from the Table for Town Board action.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Boschetti, "I would now move to amend that resolution so that it reads instead of be appointed chairman that it now read the appointed "temporary" chairman of the advisory Board so that a permanent chairman could be elected."

Councilman Boschetti offered resolution #107 to be amended to read temporary chairman which was seconded by Councilman Pike.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The amendment was thereupon duly declared adopted.

#107 AUTHORIZING THE TOWN BOARD TO APPOINT A CHAIRMAN FOR CITIZEN ADVISORY COUNSEL REGARDING L.I.L.C.O. PROPERTY IN JAMESPORT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Town Board by previous resolution, has created a Citizen Advisory Counsel to formulate alternative proposals for the development and use of the L.I.L.C.O. property in Jamesport, and

WHEREAS, a Board has been appointed, and

RESOLUTIONS Continued

WHEREAS, it is now appropriate that a temporary Chairman be designated.

NOW, ~~HEREFORE~~, BE IT

RESOLVED, that CLARK McCOMBE be appointed temporary Chairman of the Advisory Board, effective immediately, and be it further

RESOLVED, that the temporary Chairman forthwith call an organizational meeting of the Board.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Is there anyone who would like to address the Board? Well go right ahead."

William Kasperovich, "Already she's discouraging me. My name is William Kasperovich. I live on 15th Street in Wading River. I will try where I can, to put my talk down on paper. Not for your convenience but for the need to legally pursue the people who flagrantly ignore my advice and comments. It's not a threat. Mr. Supervisor Janoski, Councilmen, Town Justice, if they are present tonight; I address the matter of our future town courtroom or possibly I should talk about the courtroom that isn't there. Please hear me out. Many years ago when the town court functioned in the old Town Hall at Roanoke and Second Street, there were many conditions and items to grumble and complain about. The cramped quarters, the juxtaposition of persons in the courtroom, the hazardous movements and inter-relation of persons on/or awaiting trial, the acoustics, the decor necessary to create an atmosphere of official dignity, the prospective jurors waiting in the hallways, the awkward arrangements for conducting ceremonies, etc., etc., etc. All these inadequacies and/or deficiencies were patiently tolerated with the vision of a new Town Hall to come. Well, after much waiting, the new Town Hall became a reality. We are sitting here in it tonight. The room where Justice Court is held. Many of the needs of the courtroom were accommodated in this new building. Certainly a vast improvement over the old layout. Now we come to the current situation in this courtroom. The room which we are sitting in is to be relocated in the new Police Building next door. A structure with some eye appeal outside, but the functional layout and operating details make the entirety more suitable for some cow-town where the gators grow. Enough of that. I am here to talk about the courtroom. Where the law is adjudicated. Where justice is dispensed. Where we come to resolve our problems. Where we are dragged into when we misbehave. Where we come to join couples for better or for worse and so forth. This is a very important room in our town, in our society, in our lives. So what's wrong? Plenty is wrong. And mind you, I'm only talking about one room. The courtroom. Architecturally, physically, functionally, where do you want me to start? You may think that I'm describing the old courtroom because many of the undesirable features have been reproduced in the new Police House.

William Kasperovich, Continued

1. The room is required to reflect a sense of dignity and stateliness. This can be accomplished with the proper use of color and texture in the decor and choice of fixtures. There is no indication that this consideration was taken into account as late as last week.
2. The seating capacity (after considering the aisle requirements for prisoner and participant) for 40 prospective jurors does not exist.
3. The seating capacity for the average Monday crowd does not exist. The spilling over into the hallways should not exist in a newly designed building and should not be tolerated.
4. The prisoner and escorting officers personal dimension requirements for travel, seating and security are not defined nor accomodated as of this date. A very important consideration.
5. No fixture or furniture that could be lifted and used as a weapon should be permitted in the courtroom.
6. All jurors must have a clear line of vision so as to see at least the full profile of the person on the witness stand. Legal impropriety exists if less than profile is seen by an juror.
7. The two exit doors do not have the required panic hardware.
8. There are no electric boxes or recepticles for back up lighting. Where and when a prisoner is loose and unrestrained during a trial it is considered good security to have a back-up for the emergency generator.

This critique was compiled last Tuesday March 11, 1986 after being escorted into the new Police building to the proposed courtroom by Justice Robert Leonard. It is my considered request and recommendation; That the Justice Court in the new building not convene until all the needs and requirements for the participants going to and into the building to the courtroom are met. That Justice Court use the existing courtroom (that is, this room) and the required facilities needed, for Jury Trials and Monday morning cases. This arrangement is put forth upon considering lowest money costs. There are numerous alternative arrangements that would be more suitable but would be an added cost. And I am not the one to proposed added costs for someone elses mistakes. Our courts must be held in the highest of esteem. It does not appear that the design and detailing of the Courtroom in the new Police building expressed this premise. If we cannot equal or better the conditions that now exist in this here building then there is no excuse for the money spent on a new building. This would be a discredit to our community. And I'm sorry if I ran over the five minutes. But I spent two weeks to compile this, I researched it. I checked it out with senior architects. And believe me, when I finished typing this at three o'clock yesterday morning or this morning I thought to myself; boy. I'm doing somebody elses work for them. But there it is. I will give you a copy tomorrow and I will give copies to the Justices and Chief Palmer left the building with a copy. It will be to our disadvantage as a Town Board, as a township not to give thorough detailed consideration for all these points that I made. Thank you."

5/18/88
PERSONAL APPEARANCES Continued

Supervisor Janoski, "Well, the courtroom is of course incomplete as of this moment. I would just like to say a couple of things. It's as large as any supreme court room over at the County Center. While it doesn't have the ornate decor that was built in 1937 at different costs than in 1986. I would invite anyone to come to Town Hall on Monday morning and during the course of the day when we have criminal courts, so that you can be accosted by the individuals that inhabit the hallways here at Town Hall when you come to pay your water bill or get a dog license. I wouldn't keep the courts here after we had that facility over there on a bet. Because quite honestly, I was the one that wanted them the heck out of this building. Not because I have anything against the justices but I have too often watched out of my door women being accosted by individuals in these corridors. And that is reason enough to move them. There is a seating capacity for over 70 people in that room. We are not supposed to provide entertainment for the people of this community in the courts. We are there to conduct the business of the courts. I would invite anyone who wishes to see the building in its incomplete state anytime that they want to. As far as some of the other comments made about hardware on the doors; it's an incomplete building. It certainly has not been finalized and will not be occupied until some time in May. If for any special reason the courts wish to use this room for a wedding or some large case, they would be entirely welcome and the Justices know that and we have told them that very clearly that this room is available to them. I don't know what else I can say except that Town Hall is a place for the conducting of public business. The criminal courts have become such because of the crime that it attracts certain elements of people to our Town Hall. And our court is, which I would be very happy to see over in the Police Station. And that's all. I'm going to say about that. Is there anyone who wishes to address the Board on any other subject? Ok. Steve then Betty after that. Oh. And by the way, I picked out the color green for that courtroom."

Steve Haizlip, "I would like to address resolution 161. Now, this states that it exempts the Riverhead Fire Department and Suffolk County Firemen's Association from Chapter 46 of the Riverhead Town Code. Now, what I would like to know is how can we take ten towns which I believe make up this Suffolk Firemen's Association and then they do a function and then they can be exempt under our code of this town."

Supervisor Janoski, "No. They're going to be here in Riverhead for a tournament. This year marks the hundred and fiftieth anniversary of the Riverhead Fire Department. There is going to be a parade and a drill and a tournament which takes place here in the Town of Riverhead on what is actually town property. So that it is necessary for the town to take action."

Steve Haizlip, "So then the essence of Chapter 46...."

Supervisor Janoski, "Deals only with the Town of Riverhead."

Steve Haizlip, "Only the town and they'll be under that jurisdiction of that chapter 46."

5/10/88
PERSONAL APPEARANCES Continued

Supervisor Janoski, "That's correct."

Steve Haizlip, "Now on this 164; you said you're going to grant permission to the Jamesport Fire Department and they're going to have to provide liability insurance. Now, from what I've been reading in the paper and the last question that I asked even Mr. Mullen is having a hard time getting economical liability insurance. Now these people here, are they going to be able to realize a profit or is it going to be one three hundred and sixty fifth for the day and or what? I shouldn't be concerned with it I guess you're saying to yourself because they're going to have a bazaar and there going to pay the bill so so what."

Supervisor Janoski, "We are requiring them to provide documentation of that insurance coverage. If they can not obtain it or if they can not afford to obtain it, then I guess the bazaar would not take place."

Steve Haizlip, "So it's only for one day then."

Supervisor Janoski, "Well it's a number of days."

Steve Haizlip, "Oh. Oh I see. It's going over the 12th and the 13th. Alright. Thank you."

Supervisor Janoski, "Thank you Steve. Betty Brown."

Betty Brown, Jamesport, "I just wanted to voice my disappointment with the Board's approval of the condominium project in South Jamesport. A public hearing was held. And to my recollection, I don't remember one resident that was in favor of this application. I find it very curious that the Town Board members agreed with one condominium developer, one small town lawyer and decided this was the best for South Jamesport welfare. The Board has at its disposal an updated master plan that zeroes in on the coastal zone in our town. It was completed disregarded. The Board also has a Planning Board that turned down this application. This was completely disregarded. The Board had a public hearing on this application and input invited. Some twenty people spoke against this proposal. No one spoke in favor of this proposal or application and this you disregarded. Only the empty threats of the applicant and his attorney were heard. I ask you tonight and for our future why waste our time? This Board accomodates developers and the South Jamesport residents see through this charade."

Supervisor Janoski, "Steve did you want to speak?"

Steve Haizlip, "I knew I had something on my mind to say last time. This lady reminded me. I'm glad she did. Now, this thing is approved and the builders and his architect has probably got his plans and everything all approved. But I hope to goodness that this man that drew up those plans didn't cut that roof off level with those windows like they did in Shanghai Heights in Calverton. I hope they give them some sock it over to protect them against these high winds and blowings and rains like we just had Saturday and Sunday."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Thank you. I would just like to say to Steve that the applicant must get approval of the Zoning Board of Appeals, the Suffolk County Department of Health and the State Department of Environmental Conservation. We have acted on a special permit application which was recommended to be approved by the Planning Board. It was only after they discovered a requirement of business zoned property which is for the construction of condominiums they recommended and pointed that that short filing with the original recommendation before the discovery of that requirement was approval for twenty units. I have been attempting throughout this evening to make some comments and I guess I've started. I grew up in a country which was called America and which if you owned a piece of property, it was yours and you could develop it. And I have heard all too often through the six years that this Town Board built this and we built that. Well actually I inherited the business A zoning that exists there in South Jamesport. It was put in place back in 1965 and it was the beginning of zoning in this town. It has always been zoned business A. It allows by special permit, the construction of condominiums. It also allows without any permit, the construction of a restaurant, a motel, a boat sale and other marine uses. The current coastal zone management plan calls for water intensive uses as well as residential uses. I worry that when a neighbor looks across the street and doesn't like what his neighbor is planning to do, that they feel they have an opportunity to prevent what (under the law) is allowed. And clearly, certain things are allowed by the zoning. We spoke about Route 58 tonight. Route 58 along the corridor is privately owned land and it is currently zoned in a number of different ways which permits certain uses of that land. This Town Board in the past, has rezoned some of that land to control some of the intensity of the use which would be permitted. However, I can think of no zoning which exist which precludes development at all. We can zone it residential along Route 58. And then in itself it will create traffic as people go to and from their homes. We have business and industrial zones on that roadway. And if the people of the Town of Riverhead do not wish people to be able develop their private property, then they in fact should figure out a mechanism to obtain the ownership of that property. And in a letter which I have composed to presiding officer, Greg Blass, I have suggested that if this is the current thinking, that perhaps the County might want to purchase the vacant land along the Route 58 corridor which is vacant and it amounts to about fifty percent of the land up on that corridor. But truly, we have fought for the rights of the property. And I don't understand a country or the town in that country in which we challenge that. These are permitted uses. The Town Board has deliberated over these matters and have come to the conclusion of approval of a special permit application for up to a certain number of units. There are many hurdles for this application yet to overcome and it is the Department of Health which will in fact determine the number of units which will be permitted on that property. Not this Town Board. So I just wanted to say that. And if there is anyone else who wishes to be heard, you beat him and he'll be next."

PERSONAL APPEARANCES Continued

Jane Ludlow, Jamesport, "Hello. I agree with you. People should be able to develop their land as they see fit but only if it does not affect or ruin another person's land or living rights. I think we should that due to water and sewage problems, it's not just the density that the area will be affected. And I'm one of many who was really saddened by the decision of this Planning Board. I've just looked at a town out west. A city, Tuscon actually. Eight years ago their Planning Board had what I thought were queer ideas about how to preserve their desert which is a delicate balance. And due to special permits, Tuscon is now ruined environmentally. They flood terribly. There are other devastations caused by special permits and changes due to the lack of far sightedness of their Planning Board. And I'm fearful that we're going to ruin our area. And once it's ruined, we can't get it back. And we're not here to clash swords. That we are very concerned about this. It's our home too."

Supervisor Janoski, "As is the Town Board. The questions of water and sewage are outside our jurisdiction. It is the County Health Department that will rule on that and the Board has known that all along. And as I say; they, through that process, will actually be the determiner of the number of units. The condominiums if they are ever built, will have to comply with strict regulations with regard to their waste and sewage. And whatever water requirements are placed upon them by the county."

Jane Ludlow, "Thank you."

Supervisor Janoski, "Yes sir."

Jim Smiley, South Jamesport, "I think it was mentioned that this gentleman bought the property and they attempted to do something with that. I think that's not true. I think this was all speculation. And it was just mentioned tonight, they just checked the record today and found that property was just in fact recently bought. So this man did not buy this property first and then come to us and say he wanted to build something. As of March 6th this was never registered. And it was just checked today and confirmed today that he had finally bought this property. It was not a case that we were fighting a man that had owned property and was trying to develop it. This was a speculator who is coming in, building what he has to build, ruin the property and leave. We developed and we did a lot of leg work on the density. You people failed to recognize that. You chose to give him what he wanted. Something he can make a profit on and that's what he's doing. Thank you."

Supervisor Janoski, "Mary Beth."

Mary Beth Andresen, Aquebogue, "I too am sad by your decision this evening because as Betty mentioned and other people mentioned and as your master plan does say, you even increased the density to this area and gave this man probably exactly what he was looking for. Now we know if you want something, just ask for twice as much and then you get it."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Is there anyone else who wishes to address the Board? Steve. I'll get you next."

Steve Haizlip, "Joe when you mentioned and the rest of the Board members. When you mentioned about probably the County could buy this land. I'm not in favor of the County buying any land along Route 58. And I've been fighting Mr. Blass from about taking any land and so far, he hasn't taken any from our town. Thanks to you, in 1980 we say here in February (right across from each other) when John Behan was here and the subject was brought up and you said no land. So you've been a pretty good little bull dog and haven't let them take any land."

Supervisor Janoski, "Well the point I was making Steve was that the only method fair to stop the use of a piece of property is to own it."

Steve Haizlip, "I realize what you mean Joe. I just don't want them to take any from us. We've got enough off the tax roll and everybody is having to make up everytime it goes off. Alright. Thank you."

Ed Barbanti, Wading River, "I just want a clarification on resolution 168; Extends Route 25A Moratorium for 30 days. Ok. What does that mean?"

Supervisor Janoski, "It means we had a moratorium in place while we considered a rezoning. Certain individuals from the Wading River area asked that we not act on that rezoning for a period time to give them an opportunity to present their case. However, the moratorium which was put in place, ended. So that is is necessary that we extend it for thirty days."

Ed Barbanti, "Now someone made a statement saying nothing will be, no building permits unless it's under the new CR."

Supervisor Janoski, "Anything that..."

Ed Barbanti, "Has the new CR been passed?"

Supervisor Janoski, "No. No. It hasn't been passed in this...."

Ed Barbanti, "No, no. That's all I wanted to hear because someone said that. Except you can build something.... Well read it."

Supervisor Janoski, "But not in Wading River. It is part of the code but it has not been put in place in Wading River."

Ed Barbanti, "But you can issue a permit under the new CR."

Supervisor Janoski, "Certainly. If someone has a...."

Ed Barbanti, "How can you get a permit under something new that isn't approved yet? That's my question."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Well if you'll let me explain. It's the Town Board...."

Ed Barbanti, "Go ahead. You can do it then in anticipation."

Supervisor Janoski, "Sure. The Town Board felt...."

Ed Barbanti, "You can do this without approval?"

Councilman Prusinowski, "You know. I'll tell you something right now. I think you should anticipate this zone being passed. Now if you want to make a case, I think right now your case has to be why we shouldn't pass this new zone. I'm not going to pull any punches."

COUNCILMAN PRUSINOWSKI AND ED BARBANTI SPOKE SIMULTANEOUSLY AND THE REMARKS WERE UNDECIPHERABLE.

Councilman Prusinowski, "Hey listen. I'll tell you what. Forget about the constitution. You just heard this people out there...."

Supervisor Janoski, "Let me answer his question."

Councilman Prusinowski, "I'm not saying.... Don't. I'm not saying to forget the constitution. Let's be..."

REMARKS FROM AUDIENCE, INAUDIBLE.

Supervisor Janoski, "Alright. The answer to your question."

Councilman Prusinowski, "Don't be a wise lady."

Unidentified Lady from Audience, "I'm not a wise guy. You said forget the constitution."

Supervisor Janoski, "Let me answer the question here if I could. The Town Board...."

REMARKS IN AUDIENCE UNDECIPHERABLE.

Supervisor Janoski, "The Town Board did not want to stop the application for building permits for projects..."

MAN FROM AUDIENCE SPOKE AND COMMENTS WERE INAUDIBLE

Supervisor Janoski, "Sir, now just a minute."

Unidentified Man, "... the new CR which was not approved."

Supervisor Janoski, "Fine. If you want us to amend that resolution..."

Unidentified Man, "I don't want you to do amend anything. I just want a clarification of what you said."

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PERSONAL APPEARANCES Continued

Supervisor Janoski, "Well sir if you will shut up for a minute, I will try to explain this. Would you please take your seat?"

Unidentified Man, "I'm trying to."

Supervisor Janoski, "The Town Board was trying to not be an obstacle to any project that would comply with the proposed new zoning. It felt that there are individuals and we have approved a number of them, who would have projects that would comply and there was no reason in the world to hold them up. So we simply say that there is a moratorium put in place except if you comply with the proposed CR zoning."

Councilman Boschetti, "Mr. Supervisor."

Supervisor Janoski, "Yes sir."

Councilman Boschetti, "This is a classic example, in fact this is one of the rare times we have two sides of a situation. One in one side of town and one on the other. We have one group of people in the audience who are striving very hard to try to maintain what they have as far as the character of their neighborhood. And we have a group I guess represented by you. I'm not sure but evidently there's a few of you I recognize."

Unidentified Man, "The character of our neighborhood, I want to...."

Councilman Boschetti, "Sif if you don't mind, may I continue?"

Supervisor Janoski, "Let me just say one thing councilman. Sir you are out of order."

UNIDENTIFIED MAN FROM AUDIENCE STILL SPEAKING OUT OF ORDER
AND COMMENTS ARE UNDECIPHERABLE.

Supervisor Janoski, "Sir you are out of order."

Unidentified Man, "I apologize."

Supervisor Janoski, "Thank you. And if you wish to be recognized again, I will recognize you. But until that time, you are not to speak or interrupt the speaker. And your place to speak is up at that microphone after property being recognized. Thank you."

Councilman Boschetti, "As I was saying, we have one group of people that are trying very desperately to preserve the character of their neighborhood. I emphasize with that. We have another group here that's trying very hard not to have us enact a zone change which we feel would in fact help to perserve the character of the neighborhood on the other side of town. Hopefully we will be getting to Jamesport in the very very near future to start doing the kind of zoning work we're now doing on the Wading River corridor. That having been said, I want to point this out. That when we talk

PERSONAL APPEARANCES Continued

Councilman Boschetti, Continued

about zoning, there's always two sides to of an issue and I think it's very interesting that we have both sides represented here. One group that doesn't want zoning changes to help preserve the esthetics of the character of a community and one group that desperately does. Now let's talk about the group that desperately does for a moment because we did enact on a resolution a few moments ago. There was a number of things that were brought up. Threats...."

TAPE ENDED

Councilman Boschetti, "The developer is absolutely in fact a speculator. There's no hidden agend there. He has said it right along. He is in the business to develope. He comes to Riverhead and purchases a property. A property zoned business A. Now someone said it's going to be a business. It is in fact a business. It's zoned business A. Now that ties into the next topic which is zoning. If it's zoned business A, it follows that the person buying that property from which he expects to derive a profit will utilize it in that manner. However, in this particular case, the applicant has come to use and said I would like special permission to do something a little different and that is to put in a condo project. Now I've listened very much to what you folks have been saying. And you're saying; look. In our opinion, we think condos will not work here. I'm looking at a broader picture. Someone mentioned about looking to the future and that's what I've been trying to do. I look at what is the most intense alternatives available to this individual. The intense alternatives are restaurants and motels. When you talk about water and sewage, intensity does play a roll. And density is part of that intensity use. Now let's talk about the density for the moment. The applicant came before us requesting 20 units. We have reduced that request by two fifths or almost half of what he asked for. Now, anyone can get up and say sure and somebody probably is right now saying; sure. You come in. You ask for a hundred units and maybe you'll get fifty. If you ask for twelve, maybe you'll get six. Realistically speaking, that's not the way these numbers were arrived at. It may seem that way but it's not. No more so then any of the other numbers that have been tossed around. These numbers were not picked out of the air necessarily. But the fact of the matter is in our opinion and in my opinions (since I'm the one speaking here) condo projects I believe in the long term, will help maintain the character of that neighborhood better then any of the available alternatives that that particular individual has. That brings us to the threats. One of the last topics that were brought up here tonight. I don't consider that the applicant threatened at all. He came before us and he said; you and your code have allowed uses under business A. I'm proposing to put in condos. If I'm allowed to do so, that's what I will do. If I'm not allowed to do so, then I'm going to my second best choice which is a motel. Really hardly a threat. The man has said he's a speculator. The man has said he's developing the property for profit and therefore he has a right to do so. Should we have rezoned the property? Absolutely. Would I work with you to help rezone the property so this doesn't happen again? Not only in South Jamesport but in other areas of the town. Absolutely. One hundred and fifty

PERSONAL APPEARANCES Continued

Councilman Boschetti, Continued

percent. I would do so. I have been saying so for two years. We should have done it but we have not. The fact of the matter is the man has come in, the law exists and he has a right to expect that this Town Board will do its duty under the law and that is what we have done. That's one reason why, although I emphasize with your position wholeheartedly, I can not having sworn to uphold the laws, go against what I know is right under those laws. Basically our code needs to be changed. And that's what I would hope we do and that's one lesson I hope we have learned here tonight that must be done. Thank you."

Supervisor Janoski, "Mary Beth. Sir I haven't recognized you. I recognized Mary Beth."

Mary Beth Andresen, "The only thing that I hope comes out of all of this is it is time whether it be the Planning Board or whether it be the Town Board or whether it be us as citizens working together to realize once and for all; with this growth that certain areas can not be developed regardless of what thier zoning is and regardless of anything else. Because certain areas in this town are a: zoned industrial and you can't walk on them because they are a bog or b: they're zoned agricultural and you can't get through them because they've been a garbage pit for many years. Let's work together and let's go through these maps and let's see that we don't hurt other people. Because just like everything else, land as an investment, is as chancy as stocks. Thank you."

Councilman Boschetti, "Thank you Mary Beth."

Sherry Johnson, Manorville, "I just want to back up what Mary Beth said. You mentioned that the zoning was done in the 1960's. The Master Plan was in 1970's. A lot has happened since then. We need an update fast. Thank you."

Supervisor Janoski, "Did you want to address the Board?"

Ed Barbante, "I just asked a simple question before."

Irene Pendzick, "Mr. Barbante is that B-a-r-b-a-n-i?"

Ed Barbante, "No."

Irene Pendzick, "Would you spell that please?"

Ed Barbante, "B-a-r-b-a-n-t-e."

Irene Pendzick, "Ok. Thank you."

Ed Barbante, "Before I was just asking for a clarification of whatever it was. I haven't got my glasses. And I get a lecture on zoning in Aquebogue. I'm confused."

Supervisor Janoski, "Don't be confused."

PERSONAL APPEARANCES Continued

Councilman Boschetti, "I'm sorry. I didn't give you a lecture. I was talking to other people besides you in the audience."

Ed Barbante, "Yes but somebody was answering my question."

Councilman Boschetti, "I alluded to it."

Ed Barbante, "An Aquebogue condominium. I don't even know what you're talking about. Really."

Councilman Boschetti, "I think the folks I was addressing my remarks to understand what I was saying."

Ed Barbante, "Yes but I was at the podium. I asked a question."

Councilman Pike, "Ask it again."

Ed Barbante, "I'm going to go out and get drunk tonight."

Supervisor Janoski, "Where are you going?"

Ed Barbante, "Wading River. I'll meet you Joe. Alright? 168; Extends Route 25A, Wading River Moratorium for 30 days. Ok. You explained that to me. Then this gentleman said here forget about the constituion, blah, blah, blah. And this fellow says over here we're going to talk about condos in Aquebogue. Ok. Listen. Oh. Jamesport. Sorry."

Councilman Prusinowski, "He's being a wise guy."

Councilman Lombardi, "What does he want?"

Ed Barbante, "I'm not a.... Hey."

Councilman Prusinowski, "You're a wise guy."

Ed Barbante, "Say that once again buddy. Don't call me a wise guy."

Councilman Prusinowski, "You're putting words in our mouths and we're trying to explain something."

Supervisor Janoski, "Can I have some order here."

Ed Barbante, "I asked a question and Mr. Janoski explained it to me."

Supervisor Janoski, "Could I explain something?"

Ed Barbante, "Now my question was....."

Supervisor Janoski, "No. I guess not."

PERSONAL APPEARANCES Continued

Ed Barbante, "Someone alluded to you can building permits on the new CR which is not law."

Supervisor Janoski, "That's right."

Ed Barbante, "I can put in a building permit on something that is not law."

Supervisor Janoski, "Hey listen. Believe me. We put that provision in there trying to not get in the way of anyone who would like to bring forward a project if it complied. Now let me say one other thing. That I asked that the Board not act on the implementation of the CR this evening to give certain people (you included) the opportunity to make a case and you are not making any friends up here."

Ed Barbante, "I don't... Listen. I have many friends. No I'm not trying to not make friends. Now can I put in a building permit under the old law?"

Supervisor Janoski, "No."

Ed Barbante, "But the new law is not passed."

Supervisor Janoski, "There is a moratorium."

Councilman Boschetti, "The law is passed. It's just not been made applicable to that corridor in question."

Ed Barbante, "The law has not been passed."

Councilman Boschetti, "It has been passed."

Councilman Pike, "Excuse me."

Supervisor Janoski, "The CR is part...."

Ed Barbante, "I was here at the last meeting. I'm here now. I just needed..."

Supervisor Janoski, "Let me point out to you what is being said to you. The CR zoning has been made part of the zoning of the Town of Riverhead. It has not been implemented on the Wading River corridor."

Ed Barbante, "Ok."

Supervisor Janoski, "And that's it. It is going to be implemented on the Wading River corridor and it was scheduled to be this evening except that certain individuals, property owners...."

{ Ed Barbante, "In other words, your minds are made up already."

Supervisor Janoski, "I have heard no argument thus far that has convinced me that what we are proposing is wrong for that area."

PERSONAL APPEARANCES Continued

Ed Barbante, "It's illegal."

Councilman Lombardi, "We're giving you a thirty day moratorium right now and then we'll make a decision."

Ed Barbante, "It's unconstitutional."

Councilman Pike, "Why don't you let me."

Ed Barbante, "The 14th amendment says it. You can't do this."

Supervisor Janoski, "I recognize Councilman Pike to try."

Councilman Pike, "I very...."

Ed Barbante, "I give up."

Councilman Pike, "No. I want you to hear this. Would you..."

Ed Barbante, "You ought to get a counsel here somewhere."

Councilman Pike, "You've got one."

Ed Barbante, "You need a lawyer."

Councilman Pike, "You've got one."

Ed Barbante, "Where?"

Unidentified Man, "He's a lawyer."

Councilman Pike, "May I introduce myself. My name is Robert Pike. I am an attorney."

Ed Barbante, "I apologize."

Councilman Pike, "I specialize in land use planning zoning. Ok? Now if you would like... Well let's ask a question first. Would you agree that the United States Supreme Court is the final arbitor and decider of what the constitution is?"

Ed Barbante, "Definitely."

Councilman Pike, "Ok. I would refer you to the following very interesting readings. The case of Uclid v. Ambler 1920."

Ed Barbante, "Wait a minute. I'm not a lawyer."

Councilman Pike, "Just listen. Just listen. There in my office."

Councilman Lombardi, "You asked for it."

Ed Barbante, "I'm not a lawyer."

PERSONAL APPEARANCES Continued

Councilman Pike, "There in my office and I'll give them to you. The case of Just vs. Marionette and the case of Penn Central vs. New York Central railroads. Alright."

Ed Barbante, "Are they in the Town of Riverhead?"

Councilman Pike, "They are the law of the United States, the constitution of the United States as determined by the United States Supreme Court in unanimous decisions from 1924 until 1983. All of which say that what we are about to do in Wading River is constitutional."

Ed Barbante, "Difficult for me to believe."

Councilman Pike, "Read the cases. If you don't believe United States Supreme Court, who are you going to appeal to?"

Ed Barbante, "I believe the constitution, the 14th amendment that says clearly,... I can't read without my glasses."

Councilman Pike, "There shall be no taking of private property without just compensation."

Ed Barbante, "Ok. And any law you're passing right now except for the public betterment, health, welfare and safety is confiscator which is illegal under the 14th amendment."

Councilman Pike, "I would refer you to the cases all of which deal with that very question and you are wrong sir. And if you would like to read the cases and educate yourself on the subject, I'm here to help."

Ed Barbante, "No. I'm not a lawyer."

Councilman Pike, "You can read?"

Ed Barbante, "I can read. Listen. I have a pretty good education."

Councilman Pike, "Good. Why don't we use it and read."

Ed Barbante, "I got third grade."

Councilman Pike, "That's enough. Some of the judges."

Ed Barbante, "I don't think you can...."

Councilman Pike, "I did my best guys."

Ed Barbante, "Ok. One more question."

Supervisor Janoski, "Certainly."

Ed Barbante, "Basic policy of America is les' a far. Do you all know what les' a far is?"

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PERSONAL APPEARANCES Continued

Councilman Pike, "Yes. It's french."

Ed Barbante, "Ok. They call me a wise guy right. Do you know what les' a far means?"

Councilman Prusinowski, "Yes. Hands off. How much property do you own up there."

Ed Barbante, "No government interference."

Councilman Prusinowski, "How much property do you own up on this corridor?"

Ed Barbante, "I don't own any property."

Councilman Prusinowski, "You don't. Do you represent..."

Ed Barbante, "I don't own anything. I'm a concerned citizen."

Councilman Prusinowski, "Ok."

Councilman Pike, "Do you believe in the government prohibition against murder?"

Ed Barbante, "Pardon me."

Councilman Pike, "Do you believe in the government prohibition of murder?"

Ed Barbante, "Government prohibition of murder?"

Councilman Pike, "Yes. That murder is illegal."

Ed Barbante, "Of course I believe in that."

Councilman Pike, "Oh. That's ok."

Supervisor Janoski, "Alright sir. Would you make your point so we can all go get drunk."

Councilman Pike, "That's illegal Joe."

Ed Barbante, "In your CR you delineate what property can be used for."

Councilman Boschetti, "That's what all zoning does."

Councilman Pike, "Euclid v. Ambler. It is not."

Ed Barbante, "You can't. Like I want to breed elephants."

Supervisor Janoski, "You know I'm glad that you're doing that because that's very republican."

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Ed Barbante, "I mean is that illegal? And I'm a republican too."

Councilman Lombardi, "And I have to vote against it."

Ed Barbante, "I don't want to make this a charade. I'm not trying to."

Councilman Prusinowski, "You're doing a good job."

Ed Barbante, "This CR is illegal and unconstitutional."

Supervisor Janoski, "Certainly...."

Councilman Prusinowski, "You can litigate it in court."

Ed Barbante, "You're pre-supposing that it's passed."

Supervisor Janoski, "No. What we're doing is this."

Ed Barbante, "Well this gentleman...."

Supervisor Janoski, "You know...."

Councilman Boschetti, "It is passed."

Councilman Prusinowski, "It is passed. I'm correct."

Ed Barbante, "When was it passed?"

Supervisor Janoski, "You know. Let me explain it one more time."

Ed Barbante, "It has to be passed....."

Irene Pendzick, "It was adopted on February 25th, resolution number 127."

Ed Barbante, "And there's a moratorium for thirty days on something that's already been passed."

Irene Pendzick, "No sir."

Ed Barbante, "Forget it. You win. I'm confused."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board this evening? I knew Mr. Kasperovich that you had something on your mind. Mr. Kasperovich. Well let's get Kasperovich out of the way and maybe the other guy will end on an up beat."

William Kasperovich, "You were talking about my backyard when you're talking about this corridor. I don't own any land except which I live on. I have no speculative interest or no interest in any other real estate. I'm here as a resident of the township. Now I thought it was a good idea to add this moratorium. But then to hear you gentlemen sit up there and not infer

PERSONAL APPEARANCES ContinuedWilliam Kasperovich, Continued

but blatantly speak out that you've all made up your minds and it's all settled. It makes the moratorium a farce. That's wrong. That attitude is wrong. I've been fighting that attitude here in Riverhead for thirty years. And if people don't stand up and speak out against it, it's going to continue. Now if you're going to give a moratorium, give us an open mind one way or the other. Don't sit up there and say that you've already made up your minds."

Supervisor Janoski, "Nobody said that Bill."

William Kasperovich, "We go through the tape tomorrow morning, we'll find the statement was made."

Supervisor Janoski, "The statement that I made was I have heard no argument thus far that has convinced me that the proposed zoning is not proper for that area. That we have not acted upon it this evening out of deference to some people who want to try to make such argument. And that is why the moratorium has been extended."

William Kasperovich, "What is there to convince if you have an open mind? There is nothing to convince."

Supervisor Janoski, "Well obviously we must have an open mind or we would have enacted it this evening because it was scheduled to be enacted this evening. And I take offence at what you're trying to put into my mind. I've listened to you for six years and my god I must have an open mind. I really resent what you're saying. I very clearly remember what I said and I very clearly and very carefully phrased it. I have heard no argument thus far that has convinced me that what is proposed in Wading River is not proper. That is not a closed mind. That is a statement of fact. We had a public hearing. It was attended by both pro and con and still we're giving additional time for those who wish to present some facts and arguments. That is not having a closed mind sir. That is bending over backwards."

William Kasperovich, "Mr. Janoski, it is no pleasure for me to stand here and address you as the Supervisor."

Supervisor Janoski, "Well I assure you it is no pleasure for me either."

William Kasperovich, "Well you're getting forty thousand a year to do it. I'm standing here giving you my time, effort and money for the interest of your constituents and I think you ought to pay more attention. When you use the words convince, then you've already made up your mind because there would be no convincing if you had an open mind. And if you can't understand that terminology and get on to semantics as you did with my prepared statement wherein you actually spoke falsehoods, then I don't know what's going on. I'm as confused as the gentleman over there. Certainly you enact a constitution and dismiss me

PERSONAL APPEARANCES Continued

William Kasperovich, Continued

from this body, you'll feel you have the right. No you don't have the right. You've been elected to administer and supervise this town. And I think you're getting enough money to do a good job. So let's not make enemies by defining what you mean by the moratorium. A moratorium is there. Enough signatures were put on a petition to warrant a moratorium. Enough people of the other side were convinced. Well if you can talk and listen at the same time, god made you somebody special. But I was here when the petition was presented and there were enough signatures on there of enough people and I'm not favoring them or opposing them. But there enough people, your constituents that were presenting to you the need for time and you offered them time. Well when you give them time, you've got to give them consideration and an open mind."

Councilman Prusinowski, "Ok. We will. Let's move on."

William Kasperovich, "You're not the Supervisor there buddy. I'm talking to the Supervisor. And when you get elected to that job, I'll address you."

Councilman Prusinowski, "I'll tell you something. No I'm not looking to be the Supervisor Bill. But I'm saying we will consider it and thank you for your comments."

William Kasperovich, "Well, you're not the chairman and you're out of order talking that way."

Councilman Prusinowski, "I'm entitled to my opinion as you are."

Supervisor Janoski, "Thank you Bill. I very.... No, no. Not you. You sir. Steve what are you sneaking up to the microphone for?"

Sid Bail, Wading River, "On behalf of the Wading River Civic Association, although this came out in the public hearing, we support the CR concept and we think it's the right direction and I hope the Town Board holds firm on this matter. Thank you."

Supervisor Janoski, "Thank you. Well Steve is closer to the microphone, so why don't we get him and then he can sit down."

Steve Haizlip, "Mr. Janoski, you mind if I direct a question to Mr. Boschetti?"

Supervisor Janoski, "Actually what you've got to do if we're going to play by the rules, is direct the question to me and then I will ask him to answer."

Steve Haizlip, "Mr. Janoski, Mr. Boschetti made a statement about changing the code. I want to get a clarification on something and I think I've got it pretty well dramatized in my mind. Now what you're saying was this code was in existence when he applied. So after he applied we can't run and change

PERSONAL APPEARANCES Continued

Steve Haizlip, Continued

the code then because that would be unfair. Now, in the future things you're talking about, if they change the code. Now I want to learn where do we change this code, by who and what body?"

Supervisor Janoski, "Mr. Boschetti do you want to answer that question?"

Councilman Boschetti, "Not being the Town Attorney, I will do my best. I presume you're referring to the Pafundi application."

Steve Haizlip, "Yes."

Councilman Boschetti, "Ok. Basically your summation of what my remarks were is accurate. What I'm saying is that a person made an application under laws that existed at the time the application was submitted. Therefore, it should be treated under the laws that existed at that time."

Steve Haizlip, "I agree."

Councilman Boschetti, "Ok. What I'm also saying is that I concur with the beliefs of members of the audience that the designated uses under the current zone in that particular area of town (and I also know there are other areas of town that need the same kind of treatment) are not appropriate. And what I'm saying is that now if we haven't learned anything else, let's learn that we need to start a comprehensive review of the zoning throughout the entire town. It's overdue. We must start to do it. And this kind of application exemplifies why it needs to be done because we end up with certain categories of zoning which certain allowed uses within them, really don't make sense any more."

Steve Haizlip, "Ok. A very good explanation. And just final, is that code change coming about by the body of the Town Board?"

Councilman Boschetti, "Yes. Of course there would be public hearings etc. But it would be the Town Board that would enact it."

Steve Haizlip, "Ok. Very good."

Supervisor Janoski, "Yes sir."

Unidentified Man, "One more comment, then I have to go home. This other gentleman was just talking about...."

Irene Pendzick, "Mr. Barbante would you just introduce your name and address."

Ed Barbante, "Oh right. I'm sorry. Ed Barbante of Wading River."

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Irene Pendzick, "Thank you."

Ed Barbante, "On the Wading River moratorium you've extended this. Why would you extend the fait accompli?" You approved this thing on February the 27th. So I've been told. The CR has been approved. So why do you need a moratorium for? We can't... So no matter what I say or what I do or what anybody does in this room, is a fait accompli?"

Supervisor Janoski, "I don't care who tries. Do you want to try?"

Richard Ehlers, "I'll take a shot."

Councilman Boschetti, "I'll take a shot."

Richard Ehlers, "I'll flip you for it."

Ed Barbante, "Why do declare a moratorium on something that's been concluded?"

Councilman Prusinowski, "Sir we have not."

Ed Barbante, "As of February 23rd... I want to write this down."

Councilman Prusinowski, "We have not as of yet voted formally to put in place permanently in the Town Code CR designation in the corridor which we've just described. One and half miles east. What we have done is passed a moratorium. And in that moratorium the Town Board which has the authority to do so to allow applications so we do not hold up any project that conforms with CR to be applied for a building permit."

Ed Barbante, "So what you're saying is the CR is all but approved?"

Councilman Prusinowski, "I'm saying there has been no formal vote."

Ed Barbante, "February 25th, what happened?"

Councilman Prusinowski, "We put that into the Town Code as a new designation on the Town Code."

Ed Barbante, "But not legal yet."

Councilman Prusinowski, "Yes it is in the Town Code and it's in place (in fact) in one part of town."

Supervisor Janoski, "This type of zoning was newly created."

Ed Barbante, "Do you see how a civilian like me can be confused over this? You tell me it's been approved February 25th but yet it's not voted on yet."

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PERSONAL APPEARANCES Continued

Councilman Prusinowski, "Well you're not confused on that."

Councilman Boschetti, "Well I tried Joe."

Supervisor Janoski, "Ok."

Councilman Boschetti, "Sir what you have is a body of law. Ok. That law is contained in the code. Part of the code deals with zoning and part of the zoning code deals with allowed uses under certain classifications. In this case CR. And CR designates what...."

Ed Barbante, "There is no CR yet though."

Councilman Boschetti, "There is. Just follow me. What we did in February 25th was we changed the code in the book. Ok. Now the book reflects that there is now officially in the Town of Riverhead a zoning classification known as CR or country rural as you know it. What we have not done which is an all together separate action on the part of the Board, is say we are now going to take that CR code and apply it specifically to the corridor you are concerned with. So yes. It is a real law. It is a real CR zone but it has not been through a separate action applied to that Route 25A corridor. That I think is where your confusion is."

Ed Barbante, "Ok. Very good. I figured the CR was only to me. In other words I can still build if I want to under business C instead of CR. No. You win."

Supervisor Janoski, "Ok. Is there anybody else who wishes to address the Board on any particular subject? Then without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:55 p.m.



Irene J. Pendzick
Town Clerk